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December 12, 2002

Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application No.: 09/881071  
For: A FLUSHABLE FREE REGISTER LIST  
Inventors: Gold, Spencer M. *et al.*  
Filed: June 13, 2001  
Our Ref. No.: SMQ-042

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form 1449;
3. A copy of the International Search Report;
4. Copies of references cited in PTO Form 1449 (4); and
5. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231 on:

December 12, 2002

Date

David R. Burns

David R. Burns, Esq., Reg. No. 46,590

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

David R. Burns

David R. Burns, Esq.  
Attorney for Applicants  
Registration No. 46,590

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Gold, Spencer M. *et al.*

Serial No.: 09/881071

Filed: June 13, 2001

For: A FLUSHABLE FREE REGISTER LIST

Attorney Docket No.: SMQ-042

Group Art Unit: 2811

Examiner: Not Yet Assigned

Commissioner for Patents  
Washington, D.C. 20231

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December 12, 2002

Date of Signature and of Mail Deposit

By:

*David R. Burns*  
David R. Burns, Esq.  
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney have become aware of the following publications and information, cited in an International Search Report mailed November 11, 2002 during the prosecution of PCT/US02/18311, which corresponds to the above-referenced application. In accordance with 37 CFR §1.97, Applicants hereby submit these publications for the Examiner's consideration. These publications are cited on the enclosed PTO Form 1449, and a copy of the Report and each publication cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that each item contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application *for the first time* not more than three months prior to the filing of this statement. Furthermore, in accordance with 37 CFR §1.704(d), Applicants note that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this statement.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
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Date: December 12, 2002  
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